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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,855	10/16/2000	Michel L.F. Grech	P/61380-PCT	8141
156	7590	09/14/2005	EXAMINER	
KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C. 489 FIFTH AVENUE NEW YORK, NY 10017			JAIN, RAJ K	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/622,855	<b>Applicant(s)</b> GRECH, MICHEL L.F.	
	<b>Examiner</b> Raj Jain	<b>Art Unit</b> 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --.

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/1/00</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 1-3 examined on the merits.

#### ***Claim Objections***

Claim 1 is objected to because of the following informalities:

- 1) On line 4 after the word "comprising" a colon is required.
- 2) The preamble describes a broadband ISDN network that does not tie into the limitations of the claim since there is no application of the ISDN network as part of the claim limitation. Furthermore, it is not clear whether the claim is suggesting a method, or apparatus for the invention to be applied in.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Lukacs (US Pat. 5,657,096).

Regarding claim 1, Lukacs discloses a method and system for real time video conferencing (see Figs. 1 & 2, abstract), the real time video conferencing system employs a Broadband Integrated Services Digital Network/Intelligent Network (see Fig. 1, col 4 lines 17-30) network for interactive video conferencing, the system comprising:

-building blocks, a picture editor and code generator, the building blocks being a collection of broadband specific actions, data access and data manipulation routines plus pictorial blocks that define the graphical layout of the service (see Figs. 2,4, abstract, the system uses a chain of video composing modules or building blocks see Fig. 7 and other session oriented modules see Fig. 9. The various modules form the building blocks within a broadband ISDN environment with graphical user interface (see col 11 line 40 – col 12 line 22, each user has functional control and capability to change the desired layout by moving and resizing desired images as appropriate see col 2 lines 45-65, col 4 lines 20 – 40. The capability of user interface incorporates data access and data manipulation routines since each user can see and change the layout scheme as one sees fit without altering the same for other users in a conferencing session for example).

Regarding claim 2, Lukacs discloses B-IN Application Protocol dependent Generic Service Building Blocks to handle functions required by a B-IN Application Protocol (see col 14 lines 1-50, Lukacs describes a generic protocol that is implemented to accommodate various user interfaces within a GUI environment. Furthermore, communications between the multimedia bridge 32 (AMB) see Fig. 1 uses a different protocol to be able to communicate with various modules and AMB hardware, thus

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different protocols are implemented to properly accommodate the required sequence of functions within the GUI environment.)

***Allowable Subject Matter***

Claim 3 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

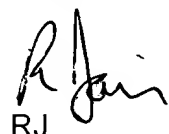
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj Jain whose telephone number is 571-272-3145.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



RJ

August 24, 2005